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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/710,129	11/10/2000	Yoshitaka Ukita	09812.0588-00000	4620
22852	7590	10/10/2006	EXAMINER	
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			TRAN, TUAN A	
			ART UNIT	PAPER NUMBER
			2618	

DATE MAILED: 10/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/710,129

Applicant(s)

UKITA ET AL.

Examiner

Tuan A. Tran

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 July 2006.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-43 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1, 3-14, 16-26, 28-38 and 42-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Salazar et al. (5,802,467) in view of Grundvig et al. (6,061,435) and further in view of Furukawa (6,243,022).

Regarding claim 1, Salazar discloses a wireless and wired communications, command, control and sensing system 1 (See figs. 1a, 1b) including a handset device 10 and a base station 25 for two way communication of sound, voice, and data to perform telephone communication, remote command and control of appliances and/or apparatus, remote monitoring, intercom and paging operations, and security functions utilizing both radio and infrared frequencies (See col. 6 lines 31-38) wherein the handset device 10 has a connection means to execute a connecting process for enabling transmission and reception of an information signal by radio communication to and from a first home appliance wherein the first home appliance are remote-controllable by a single radio communication control protocol (control command transmission utilizes only RF link) (See figs. 1a, 1b and Abstract, col. 4 line 44 to col. 5 line 9). However, Salazar does not mention that first home appliance which is support audio transmission or

reception by radio communication with a second home appliance wherein the second appliance reproduces audio data transmitted by the first home appliance and the handset device comprises a control means for generating, upon arrival of an incoming call, a remote control signal to the at least one home appliance; and a radio communication means for sending the remote control signal to the at least one home appliance by the radio communication and receiving a confirmation signal from the at least one home appliance in responsive to the remote control signal. Grundvig teaches a cordless telephone system wherein the cordless telephone comprises a control means for generating, upon arrival of an incoming call, a remote control signal to the home appliance; and a communication means for sending the remote control signal to the home appliance by an infrared link (See fig. 1 and Abstract, col. 3 lines 20-24, col. 5 lines 35-58). Furukawa teaches a bi-directional remote control unit and method (See fig. 1) wherein the remote control unit 10 capable of sending a remote control signal to a vehicle communication module 30 and receiving a confirmation signal from the vehicle communication module 30 in responsive to the remote control signal (See figs. 2, 6b, 6c and col. 7 line 40 to col. 8 line 27). Home appliances, Official Notice taken by the Examiner, such as television, audio system, that support audio transmission or reception by the radio communication with second home appliances, are commonly known in the art as shown by Zuquert, U.S. Patent No. 6,466,832, See fig. 1 and col. 4 lines 40-67, col. 2 lines 1-10; therefore it would have been obvious to one skilled in the art to use such home appliances for the advantage of expanding the capability of the system to various types of home appliances. Further, since both Salazar and Grundvig

Art Unit: 2618

disclose or teach a telephone system wherein a handset is capable of remotely controlling the home appliance, Grundvig also suggest to use other links for sending the remote control signal to the home appliance; therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the teachings of Grundvig and Furukawa in modifying the handset device as disclosed by Salazar by adding a control means for generating, upon arrival of an incoming call, a remote control signal to the home appliance; and a communication means for sending the remote control signal to the home appliance and receiving a confirmation signal from the home appliance in responsive to the remote control signal for the advantage of allowing the user to simultaneously receive and answer the incoming calls, and to be able to control the home appliance properly as the user's intention as well as providing mobility to the user and eliminating wires/cables installation.

Claim 14 is rejected for the same reasons as set forth in claim 1, as method.

Claims 13 and 26 are rejected for the same reasons as set forth in claim 1.

Regarding claims 3 and 10, Salazar & Grundvig & Furukawa disclose as cited in claim 1. Grundvig further discloses the control signal serves to stop the audio output of the at least home appliance (the first appliance with its associated second home appliance) under control, wherein the control for stopping the audio output is a sound mute function (See col. 5 lines 35-58).

Claims 16 and 23 are rejected for the same reasons as set forth in claims 3 and 10, as method.

Claims 28 and 35 are rejected for the same reasons as set forth in claims 3 and 10.

Regarding claim 9, Salazar & Grundvig & Furukawa disclose as cited in claim 3. However, they do not mention that the control for stopping the audio output is a function to pause the playing operation. Stopping audio output by pausing the playing operation is well known in the art, therefore it would be obvious to person skilled in the art to modify the handset, as disclosed by Salazar & Grundvig & Furukawa, to pause the playing operation to stop audio output for the advantage of expanding the capability of the handset to various control functions.

Claim 22 is rejected for the same reasons as set forth in claim 9, as method.

Claim 34 is rejected for the same reasons as set forth in claim 9.

Regarding claims 11, Salazar & Grundvig & Furukawa disclose as cited in claim 3. Grundvig further discloses the remote control signal further serves to execute another control for sending an incoming-call notice to the at least home appliance, wherein audio data for the notice is generated by the telephone set and reproduced by the home appliance (second home appliance) (See col. 6 lines 1-10, 56-64).

Claim 24 is rejected for the same reasons as set forth in claim 11, as method.

Claim 36 is rejected for the same reasons as set forth in claim 11.

Regarding claims 4-5 and 8, Salazar & Grundvig & Furukawa disclose as cited in claim 1. However, they do not mention that the connecting means to execute a connecting process periodically in advance so as to enable fast transmission and reception of information to and from the first home appliance without having to

reestablish the connection or upon arrival of an incoming call so as to enable transmission and reception of the information signal to and from the first home appliance, and the acquisition means to acquire the remote control signal in advance from the first home appliance. Handshaking process comprising initialization and synchronization processes (such as time and frequency synchronizations) is a necessary and common process in establishing links in radio communication and is performed periodically, wherein control data signal exchanging between both ends takes place in advance of the actual data transfer; therefore it should be necessary to establish such means as mentioned above at the handset, as disclosed by Salazar & Grundvig & Furukawa, to perform the handshaking process in order to set up a proper and quality connection for exchanging information.

Claims 17-18 and 21 are rejected for the same reasons as set forth in claims 4-5 and 8, as method.

Claims 29-30 and 33 are rejected for the same reasons as set forth in claims 4-5 and 8.

Regarding claim 6, 12 and 43, Salazar & Grundvig & Furukawa disclose as cited in claim 1 and 3. However, they do not mention that upon termination of the call, the connection means releases the connection with the first home appliance and the control means executes a control action for resuming the audio output of the second home appliance. Since Grundvig suggests that when the handset is not necessary in use (by detecting a parallel set is in an off-hook state), the connection means releases the connection with the home appliance and the control means executes a control action for

resuming the audio output of the home appliance (See col. 5 lines 62-67, col. 7 lines 1-11, col. 9 lines 16-20), therefore it would be obvious to person skilled in the art to modify the handset as disclosed in claims 1 and 3, in accordance to the Grundvig's suggestions, when the handset is not in use upon termination of the call for the advantage of saving battery power of the handset as well as providing convenience to the user by eliminating actions taken by the user to restore the audio signal to its normal volume level.

Claims 19 and 25 are rejected for the same reasons as set forth in claims 6 and 12, as method.

Claims 31 and 37 are rejected for the same reasons as set forth in claim 6 and 12.

Regarding claim 7, Salazar & Grundvig & Furukawa disclose as cited in claim 1. Grundvig further teaches that the control means simultaneously generates the remote control signal to the first home appliance (See col. 8 lines 45-60).

Claim 20 is rejected for the same reasons as set forth in claim 7, as method.

Claim 32 is rejected for the same reasons as set forth in claim 7.

Regarding claim 38, Salazar & Grundvig & Furukawa disclose as cited in claim 1. Grundvig further teaches the telephone set does not ring upon arrival of the incoming call (See col. 6 lines 56-64).

Regarding claim 42, Salazar & Grundvig & Furukawa disclose as cited in claim 1. Salazar further teaches the telephone set is a master device and the first appliance is a slave device in a first network (the telephone set control the first appliance) (See fig. 1b)

and the first appliance is a master device and the second appliance is a slave device in a second network (See Zuqert, fig. 1).

Regarding claims 39-41, Salazar & Grundvig & Furukawa disclose as cited in claim 1. However, they do not mention that the connection means transmits a message to determine if the first home appliance is within range and the first home appliance is not remote-controllable until an authentication procedure is executed wherein the procedure is to verify a password preset in the telephone set and the first home appliance. Since the technique of detecting in-range device by transmitting inquiry message and method for controlling access by executing an authentication procedure to verify a preset password (ID) are known in the art; therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use inquiry message to detect in-range device as well as to set up the authentication procedure between the telephone set and the first home appliance for the advantage of controlling the home appliance more effective as well as preventing wireless access to the home appliance by unauthorized user.

2. Claims 2, 15 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Salazar et al. (5,802,467) in view of Grundvig et al. (6,061,435) & Furukawa (6,243,022) as applied to claim 1 above, and further in view of Hill et al. (6,470,189).

Regarding claim 2, Salazar & Grundvig & Furukawa disclose as cited in claim 1. However, they do not mention that the radio communication and the single radio

Art Unit: 2618

communication control protocol are Bluetooth communication. Bluetooth communication is known in the art as disclosed by Hill (See figs. 2, 6 and col. 1 lines 15-26, col. 3 lines 24-39), therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to have the handset device and the home appliance, as disclosed by Salazar & Grundvig & Furukawa, utilized Bluetooth communication for the advantage of expanding the capability of the system to various types of communication protocols.

Claim 15 is rejected for the same reasons as set forth in claim 2, as method.

Claim 27 is rejected for the same reasons as set forth in claim 2.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan A. Tran whose telephone number is (571) 272-7858. The examiner can normally be reached on Mon-Fri, 10:00AM-6:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Anderson can be reached on (571) 272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2618

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Tuan Tran